

Minutes of the Public Works Committee - April 10, 2003

The meeting was called to order at 8:30 a.m. by Chair Manke. Supervisor Behrend led the committee in the "Pledge of Allegiance."

Present: Chair Richard Manke, County Board Supervisors James Behrend, Genia Bruce (arrived at 8:37 a.m.), Karl Nilson, Rodell Singert, David Swan; **Absent (notified):** Hank Carlson

Staff Present: County Board Chief of Staff Lee Esler, Legis.Associate Sandra Meisenheimer

Also Present: Building Projects Mgr. Dennis Cerreta, Engineering Services Mgr. Gary Evans, Senior Civil Engineer Paul Barthel, Bob Douglas (Administrator/Police Chief) and Bryce Styza (President) of Village of Chenequa, County Board Supervisors Kathleen Cummings and Dan Pavelko, Chairman Jim Dwyer

Public Comment

County Board Supervisor Kathleen Cummings stated she was speaking to clear up any mis-information in regard to the Waukesha Firing Range. She said Wis.Stats. 895.527 (Sport shooting range activities) says "Any sport shooting range that exists on June 18, 1998, may continue to operate as a sport shooting range at that location notwithstanding any zoning ordinance enacted." What this means is if a firing range existed before June 18, 1998, it is protected and will not be shut down because of noise.

Read Correspondence - Manke addressed the following items:

1. Milwaukee Journal Sentinel article of 4/3/03 titled "Ritzy Chenequa runs into trouble with street parking ban."
2. Article from American City & County (March 2003 issue) titled "County delivers road construction updates online."

Future Agenda Items

Singert referred to his previous request to agendize the Northview property. Manke said he will keep asking but Administration has not shown an interest in doing anything at this time. Singert said since it is county land there should be a site plan and a discussion of the remaining land, the road extension and the buildings.

Approve Minutes of March 27, 2003

Motion: Behrend moved, second by Swan, to approve the minutes of 3/27/03. **Motion carried 6-0.**

Verbal Report from Executive Committee Member

Manke reviewed items that were discussed and/or considered at the last meeting on 3/31/03.

Verbal Report from Committee Member Attending Airport Commission Meeting

Bruce said that a couple of land leases were approved at the last meeting on 4/9/03.

Discuss Parking Regulation on County Roads in the Village of Chenequa

Styza and Douglas were present. Styza said they would like the committee to listen to their arguments on why there should be a "no parking" ordinance on county roads in the Village of Chenequa. Douglas stated the area is very critical, and their request is to protect the safety of this traffic corridor. Douglas distributed photos of the area in question and explained each photo. Douglas said he and Barthel of the Public Works Department viewed the area together. Barthel agreed that 1,800 feet should be posted "no parking." Because the area is hilly and curvy with the ditches, vehicles cannot park there safely or legally. Douglas asked for the committee's support.

Esler stated if vehicles do park in this area, even without the “no parking” posted, you have the authority to issue a ticket or have the vehicle removed because it constitutes a safety hazard. Why do you need it posted? Douglas said he would rather take a proactive approach and post it properly throughout the area so the public, who may think that they can park there because it is not posted, would not end up paying for a parking citation. Also, if it is unsafe area, the vehicle would have to be towed which would add towing charges. Esler pointed out that there isn’t an ordinance for the committee to act on today. The previous ordinance that was defeated cannot be reconsidered in this Board year. Esler asked are you now considering a more limited area or certain areas within the village rather than a ban on parking on county trunk highways in the village? Douglas said he would much rather address what he thinks are critical issues first, and the area in question is critical.

Esler asked Barthel is the Public Works Department thinking of a different type of ordinance now? Barthel replied they were approached by the Village of Chenequa. He doesn’t want to go against the wishes of this committee or of the County Board since the previous ordinance was voted down, but he can draft an ordinance for the areas along Highway K. However, he would like to get input from the committee to see if it was worth pursuing.

Bruce said seeing the pictures make a lot of difference in her opinion. Why people would even try to park there is hard to understand. She appreciates the proactive approach, and she would be in favor of an ordinance for “no parking” signs for particular areas for safety reasons.

Nilson said he thinks the idea is selfish. He asked how would you feel if parking was banned on all county highways? Styza said we’re not asking to ban all parking on all highways – just in those areas where it is not safe. He said out of fairness there should be a sign to inform the public so they don’t get a citation or a towing charge.

Swan asked why is this coming up now? Douglas replied it was brought to the Village’s attention by the County Highway Department that the signs were in the county right of way of Highway K. The Village put up the signs, which actually are unauthorized, many years ago.

Singert said it is county policy to have certain standards but this particular road is an exception and unique. Other county roads are subject to every tree in a right of way being removed. There are very few rustic roads left and this exception creates the problem. He stated there shouldn’t be another ordinance for exception when other residents have to obey a different standard. You already have the authority and with common sense you will use good judgment.

Behrend said he is troubled with the county highways being parking lots. We didn’t build them to provide on-going parking such as next to a high school, businesses, parks, etc. Behrend said he is in favor of enforcing the safety issue, but we need to be consistent. Styza said signs cannot be put up unless an ordinance is passed. The committee took no action.

Consider Proposed Ordinance: 157-O-147 Laying Out, Relocation and Improvement of CTH “L”, Waukesha County Project, Project I.D. 00-2380(11), Golden Country Drive to East County Line, City of Muskego – City of New Berlin, Waukesha County

Evans was present to discuss the ordinance, which identifies right of way acquisitions for Capital Project 9706 CTH “L”, CTH “O” – East County Line. Sufficient funds are included in the project budget (\$4,820,000) to acquire land covered by this ordinance. **Motion:** Singert moved, second by Nilson, to approve Proposed Ordinance 157-O-147.

Evans said they would like to purchase land this year for construction next year. They would then have the fall and spring to relocate the utilities in preparation for the project. Evans reviewed the various plat drawings, which shows the beginning and end of the relocation order along with the schedule of lands and interests required, as questions were asked by the committee. Swan asked how are the properties appraised? Evans said each property is individually appraised based on value and use. Esler added certain properties might be comparable for .04 acre but you have to look at the particulars to see if a property is more severely affected. Nilson said he knows some of the merchants involved and the county has been forthright. He has heard no complaints.

Esler asked in general where are we in terms of property rights on the acquisitions? Have they been negotiated? Evans said no, they are just beginning the appraisal process. Negotiations do not begin until the relocation order is approved. Swan asked about the bike path. Barthel stated they've been working very closely with the Mayor's Task Force for the City of Muskego. One of their recommendations is to have recreational trails and sidewalks through the area. **Motion carried 6 – 0.**

Status Update on the Justice Center and Communications Center Capital Projects

Cerreta began with an update of the Justice Center. He stated the jail drawings are approximately 85% complete. The consultants are working feverishly to finish. He stated in the last week or so the FFE (fixtures, furniture, equipment) was finalized so they are about where they need to be. Therefore, he is relatively comfortable with the timeframe. He presented a large drawing of the grading and paving plan for the committee's review, which he went on to explain. This drawing enables them to get a handle on the parking for 12 judges, sheriff squads, handicapped, public, etc. What they normally do is to meet with the Parks and Land Use Department to determine what should be done for the exterior site, parking, and what the future expansions might be, etc.

Esler asked how does the public get to the Medical Examiner's office? Cerreta stated the Security Committee is also considering only 3 main entrances but this has to be talked about. Singert said there should be public parking for the Medical Examiner. Cerreta said there may be a solution. Singert asked will there be a positive access to Buena Vista? Cerreta said yes. He added that all sides are accessible one way or another to the fire trucks. Singert said he has a problem with the pathways into an area that will probably be dug up anyway. He thinks they should be closer rather than farther away. Cerreta said they really can make the pathways anywhere they want to and where they make sense. Singert said his last concern is about a firing range in the basement. If there is one in the basement, it doesn't appear to him that there is adequate parking for all concerned. Cerreta said if there is training from about 3:00 p.m. until the next morning, parking will not be a problem since it will probably involve only 5-10 people at one time.

Swan asked about "getting ready" arrangements. Cerreta said the arrangements will take place for employees and the neighborhood. Swan asked about gassing up by the Sheriff's Department. Cerreta said one of the first things that will happen is removal of the gas tanks. What about a staging area and parking for construction workers? Cerreta pointed out the different areas that will be designated. Esler asked when will the intake court close? Cerreta said he will have to check with Captain Schnabl. The committee also discussed some of the alternatives with Cerreta.

Regarding the Communications Center, Cerreta said the contracts were signed on Monday, April 7. There is a delay on the permits from the City of Waukesha because they want curbs around the parking lot and rear of the building, but surface drainage had been planned. Cerreta said he wrote a letter to change the drawings so it will take another 2-3 weeks.

Discuss Parking on Racine Avenue Relative to Mailboxes in the Muskego High School Area

Barthel reviewed what has transpired thus far regarding this issue. Barthel stated he was directed by the committee to draft an ordinance to address the safety issues at Parker Road, which he did and which was approved by this committee and adopted by the County Board. This ordinance limited parking on one side of Racine Avenue for 250' north and south of Parker Road. After that action Barthel said he posted the "no parking" signs in accordance with the ordinance and removed any signs that did not comply. Immediately after that time a number of complaints were received by the Public Works Department and also by the Police Chief in the City of Muskego. The Post Office complained that they no longer could deliver the mail because students were parking in front of the mailboxes. The Post Office will not deliver mail if they cannot get to a mailbox in their vehicle. In response to that, the City placed temporary "no parking" signs in the areas of the driveways and mailboxes. Barthel said this is allowable as it is within their right if there is a safety concern.

Barthel stated that other issues include – school is still in session but there will be additional parking when the construction is completed. However, that does not guarantee that students will park in the parking lot because there is a fee so the problem might not go away.

Swan asked how many mailboxes are involved? Barthel said probably about seven. Singert said he viewed the area again and saw 11 cars parked on the west side and 16 cars parked on the east side. One car was in violation of the temporary "no parking" signs.

Singert said that the Police Chief went to a Public Service Commission meeting with the proposal not to park within 50' of a rural Post Office mailbox between the hours of 7:00 a.m. to 4:00 p.m. except Sunday and holidays that has been posted "No Parking by Official Sign". The Commission took no action because they do not have authority to change anything. Singert added that there is no law that says you cannot park in front of a mailbox. Nilson said his suggestion is to do nothing. Let the signs stay up until school is out in a month. Then maybe the parking lot situation will be addressed by next fall and this will be a non-issue. If it isn't, it can be dealt with again next fall.

Barthel said typically when the county posts a "no parking" zone, the procedure is to eliminate parking 24/7. With a temporary or limited parking restriction, he will have to do some research to make sure the ordinance is enforceable and correct. Manke asked Barthel to draft an ordinance that restricts parking within 50' of the mailboxes or driveways on both sides of the road. Barthel said he will also talk to Corporation Counsel to see if there is any precedence for signs and try to get clarification.

Motion to adjourn: Behrend moved, second by Singert, to adjourn the meeting at 11:50 a.m.
Motion carried 6 – 0.

Respectfully submitted,

Genia C. Bruce
Secretary

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